

SUN OPTICS, INC.
a Utah Corporation,

Plaintiff,

v.

FGX INTERNATIONAL, INC.,
a Delaware Corporation,

Defendant.

Index No. CV 07-137 (SLR)

DECLARATION OF DONNA SHULER

I, DONNA SHULER, state as follows:

1. I am employed by Rite Aid HDQTRS. Corp. ("Rite Aid") and have been so employed by Rite Aid since March 10, 2002. My current job title at Rite Aid is Associate Category Manager. Part of my job responsibilities include administering Rite Aid's relationship with both FGX, International, Inc. ("FGX") and Sun Optics, Inc. ("Sun Optics").

2. In this position I am familiar with FGX, Sun Optics and the fixtures discussed herein.

3. Sun Optics, Inc. sells reading glasses in Rite Aid, on fixtures maintained by FGX.

4. Sun Optics pays FGX to maintain and stock the fixtures with its reading glasses.

5. Sun Optics' space on the reading glass fixture and its servicing by FGX is an arrangement that has been in place without any material change since at least May 20, 2003.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 4, 2007.



Donna Shuler

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SUN OPTICS INC.,

Plaintiff,

v.

FGX INTERNATIONAL INC.,

Defendant.

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C.A. No. 07-137-SLR

CERTIFICATE OF SERVICE

I, Sandra G. M. Selzer, being duly sworn according to law, deposes and says that I am employed by Greenberg Traurig, LLP, which is counsel for FGX International, Inc. and hereby certify that on the 5th day of April 2007, I caused copies of the following documents to be served upon the parties on the attached service list via Hand Delivery upon local counsel and U.S. Mail upon the remaining parties.

• **DECLARATION OF DONNA SHULER**

Dated: Wilmington, Delaware
April 5, 2007

GREENBERG TRAURIG, LLP

/s/ Sandra G. M. Selzer
Sandra G. M. Selzer (I.D. # 4283)
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**Sun Optics, Inc. v. FGX International Inc.
Service List**

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